

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**CRIMINAL MISC.APPLICATION No. 3493 of 2007****For Approval and Signature:****HONOURABLE MR.JUSTICE AKIL KURESHI**

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1 Whether Reporters of Local Papers may be allowed
to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of
the judgment ?

4 Whether this case involves a substantial question of
law as to the interpretation of the constitution of
India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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ANANDBHAI JESINGBHAI SITAPARA AND OTHERS**Versus****THE STATE OF GUJARAT**

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Appearance :

MR ASHISH M DAGLI for Applicants.

MR AY KOGJE, APP for Respondent.

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI**Date : 17/04/2007****ORAL JUDGMENT**

1) RULE. Mr.A.Y.Kogje, learned APP waives service on behalf of the
State.

2) Learned advocate Shri Dagli for the applicants does not press this application for applicants no.1 and 2.

3) Considering the age of applicant no.3 and the nature of allegations made against him in the complaint, I find that this is a fit case where applicant no.3 should be granted anticipatory bail. Under the circumstances, it is directed that in the event of applicant no.3 herein being arrested pursuant to I.C.R.No.75/2007 dated 20-2-2007 filed before Rajkot Taluka Police Station, he shall be released on bail on furnishing security of Rs.5,000/- with one surety of like amount on conditions that applicant no.3 ;

[A] shall cooperate with the investigation and make himself available for interrogation whenever required.

[B] shall remain present at the concerned Police Station on 23rd April, 2007 between 9 a.m. to 2 p.m. ;

[C] shall not hamper the investigation in any manner nor shall directly or indirectly make any inducement, threat or promise to any witness so as to dissuade them from disclosing such facts to the Court or to any Police Officer;

[D] at the time of execution of bond, furnish the address to the Investigating Officer and the Court concerned and shall not change the residence till the final disposal of the case or till further orders;

[E] will not leave India without the permission of the Court and, if is holding a Passport, shall surrender the same before the trial Court

within a week;

[F] It would be open to the Investigating Officer to file an application for remand, if he considers it just and proper and the concerned Magistrate would decide it on merits.

[G] This order will be operative if the applicant is arrested at any time within a period of 90 days from today .

[H] Within a period of ten days from the date of arrest, the applicant shall apply for regular bail which application shall be decided by the competent Court in accordance with law without being influenced by the fact that anticipatory bail was granted.

4) With these directions, this Criminal Misc. Application is disposed of. Rule is made absolute qua applicant no.3. Rule is discharged qua applicants No.1 and 2. Direct service is permitted.

(Akil Kureshi, J.)

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